

RECEIVED

SEP 15 2000

TECH CENTER 1600/2300

CPA/621

#16

PATENT

ATTORNEY DOCKET NO. 06132/033003

9/22/00

Certificate of Mailing: Date of Deposit: September 7, 2000

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to: BOX MISSING PARTS, Director for Patents, Washington, D.C. 20231.

Nicky McKinnon

Nicky McKinnon

Printed name of person mailing correspondence

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas J. Chambers *et al.*

Art Unit: 1631

Serial No.: 09/121,587

Examiner: M. Zeman

Filed: July 23, 1998

Title: Chimeric Flavivirus Vaccines

BOX MISSING PARTS

Director for Patents

Washington, D.C. 20231

REPLY TO NOTICE TO FILE MISSING PARTS

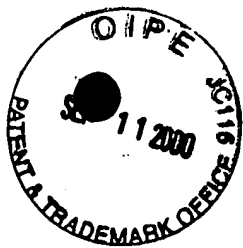
In reply to the Notice to File Missing Parts of Application (CPA) mailed

July 12, 2000, a copy of which is enclosed, Applicant, as a small entity, submits herewith the following:

A check in the amount of \$65.00 to cover the surcharge fee for late payment of the filing fee.

A check in the amount of \$345.00 to cover the filing fee.

A copy of the Verified Statement Claiming Small Entity Status (as previously filed).



RECEIVED
SEP 15 2000
TECH CENTER 1600/2900

Additional claims fees are not being paid, as only sixteen claims, two of which are independent, are pending in this case (see Reply to Restriction Requirement that was filed on September 4, 1999).

If there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095.

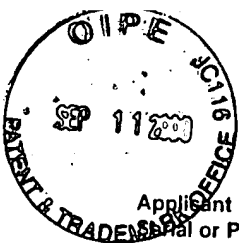
Respectfully submitted,

Date: September 7, 2000

Susan M. Michaud
Susan M. Michaud, Ph.D.
Reg. No. 42,885

Clark & Elbing LLP
176 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045

\\\\Ntserver\\documents\\06132\\06132.033003 Reply to Notice to File Missing Parts of Application (CPA).wpd



ATTORNEY DOCKET NO. 06132/033003

Applicant or Patentee
Serial or Patent No.
Filed or Issued
Title

: Chambers et al.
: 09/121,587
: July 23, 1998
: CHIMERIC FLAVIVIRUS VACCINES

COPY

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern:

Address of Small Business Concern:

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled "CHIMERIC FLAVIVIRUS VACCINES" by inventors Thomas J. Chambers, Thomas P. Monath, and Farshad Guirakhoo described in

- ☐ the specification filed herewith.
☒ application serial no. 09/121,587, filed July 23, 1998.
☐ patent no. [**PATENT NUMBER**], issued [**ISSUE DATE**].

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Assignee Name:

Assignee Address:

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent on which this verified statement is directed.

Name: Lance Gordon

Title: President and CEO

Address: OraVax, Inc., 38 Sidney Street, Cambridge, MA 02139

Signature: Lance Gordon

Date: Sept. 11, 1998